

DEFENSIVE DRIVING PROGRAM

SCHOOL OWNERS MEETING

March 31, 2011

REMITTANCE REPORTS

ACJA § 7-205(F)(28)(e) Remittance reports shall provide detailed records on each student the school is reporting; aggregate numbers are not acceptable. The report shall ensure a state fee and state surcharge is remitted for each student whose name appears on the remittance report. A school shall remit all state fees and state surcharges in compliance with the following:

- (1) "Pay Period A" fees shall be received between the first through the 15th of the month by the 22nd day of that month;
- (2) "Pay Period B" fees shall be received between the 16th through the 31st of the month by the seventh day of the month;
- (3) Submit a separate remittance report for each of the following categories:
 - (a) Individuals who completed the defensive driving course and the state fees and state surcharge are remitted for the pay period;
 - (b) Individuals who registered but did not complete a defensive driving course and the state fee and state surcharge were collected in the pay period;
 - (c) Individuals who completed the defensive driving course and the state fee and state surcharge were paid in a prior pay period; or
 - (d) If no payment is due to the Supreme Court, the school shall prepare and submit a non-state fee and non-state surcharge report. (Negative State Fee Reporting Statement Form)

ACJA § 7-205(F)(28)(g) A school shall submit diversion fee information to division staff, but may submit copies of checks or receipts instead of the court remittance diversion fee report pursuant to subsection (F)(28)(f).

(attachments)

PAID AND COMPLETED

[illegible]

*** Reports need to be sorted alphabetically by the students last name**

PAID ONLY - NOT COMPLETED YET

[illegible]

* Reports need to be sorted alphabetically by the students last name

**Arizona Supreme Court
Administrative Office of the Courts
Certification and Licensing Division**

NEGATIVE STATE FEE REPORTING STATEMENT

**I certify that for the reporting period from ____/____/____ to ____/____/____
that this school has not collected any state fees for Defensive Driving
attendance to be transmitted to the Supreme Court.**

School Name and Number

Authorized Signature

Date

Directions:

Schools shall complete and submit this form when they have not collected any state fees for a given reporting period. This statement is due on the same day that the state fee payment is due for the reporting period, according to Code Section 7-205, Administrative Rules of the Supreme Court. For the reporting period 1st through the 15th of each month, the statement is due by the 22nd of the month. For the reporting period of the 16th through the last day of the month, the statement is due by the 7th day of the following month.

Mail to: ARIZONA SUPREME COURT
Defensive Driving Program
Att: Chris DeWitt
1501 West Washington, Suite 104
Phoenix, AZ 85007

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REFUNDS

ACJA § 7-205(F)(30) Refunds.

- a.** Once a person begins a defensive driving course, classroom or ADM, the state fee, court diversion fee and state surcharge are non-refundable except as set forth in this subsection. An ADM school shall not refund the state fee or state surcharge for any student failing the required test but shall forward the state fee and state surcharge to the Supreme Court. A school may refund other registration fees pursuant to its own guidelines, or at the direction of a court. A school shall provide a student with its refund policy prior to accepting the fees from the student.
- b.** A school shall provide a refund of court diversion, state fees and the state surcharge when:
 - (1) A student pre-pays for a defensive driving course, does not begin the course and does not contact the school to reschedule for a future course. The school shall refund the court diversion fee, state fee and state surcharge 30 days after the scheduled defensive driving course date or upon notification from the student the student will not attend a course, whichever is first;
 - (2) An officer fails to file a citation with a court and the cited person attends a defensive driving course for that citation. Upon notification by the jurisdictional court, the school shall notify division staff a refund is requested. Upon written approval by division staff, the school shall refund the court diversion, state fee and state surcharge to the student; or
 - (3) A citation is dismissed by a jurisdictional court on its own motion, for technical problems not correctable under civil traffic rules of court.
- c.** Refund of the court diversion fee, state fee or the state surcharge shall result in the restoration of the student's eligibility for a defensive driving course.

- d. Refund of state fees and state surcharges to a school or a student is not permitted for an ineligible violation or an ineligible student who attends a defensive driving course, whether by fault of the student or school.
- e. At its discretion, a court may direct refund of a court diversion fee to a student, or may direct the school to forward the fee to the court for a bond or other amount due the court, up to the amount of the default for the citation.
- f. A school shall maintain complete and accurate records of all refunds and shall attach supporting documentation to each refund disbursement.
- g. In cases where refunds cannot be authorized under this section, the board may authorize, pursuant to subsection (D)(5)(b)(2), restoration of eligibility for a student who attends a defensive driving course but cannot have the violation dismissed because the violation was ineligible for diversion. An ineligible violation is any violation not included in A.R.S. § 28-3392(A)(1) or (2).

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POSITIVE IDENTIFICATION OF STUDENTS

ACJA § 7-205(F)(25)(d) Eligibility, Registration and Attendance of Students.

(4) Each school shall:

- (a) Require each student to show official identification prior to beginning a class and verify the registration information for accuracy against the official information by direct comparison. Acceptable forms of identification are limited to a government-issued driver license or identification card. Schools may retain a photocopy of each driver license.
- (b) Require individuals who are court-ordered to attend a defensive driving class to provide the court order requiring the attendance at the time of class attendance. The school shall retain a copy of each court order.
- (c) Collect and retain a copy of the individual's citation to permit verification of data and eligibility and furnish the citation on request to division staff;

(5) The ADM school shall:

- (a) Use the same methods for determining individual and citation eligibility pursuant to subsection (F)(25)(d);
- (b) Make a positive identification of the individual enrolled in the defensive driving course, at the time of delivery of the course materials, by demonstrating the individual registered for the course is the actual participant during the time the course is taken and completed;

- (c) Obtain and keep on file a copy of the student's citation or court order prior to the student beginning an ADM course. A school may accept citations by fax, mail, or via electronic means;

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F8 Change Requests

ACJA § 7-205(F)(25)(b) Each school shall access the defensive driving database and correctly and accurately and:

- (1) Maintain the proper hardware and software and the ability to connect and interface with the defensive driving database and update these as often as required by division staff to maintain efficient system function;
- (2) Assume responsibility for all costs of equipment, telephone lines, contractor fees incurred to meet these requirements and maintain the system to comply with all statutory and ACJA requirements;
- (3) Ensure the required data for state fees and defensive driving course completion is entered and all errors corrected, or an error correction requested, within one business day; and
- (4) Report completions timely and accurately in order to process, on average, 98% timeliness and accuracy each quarter.

*Any school that submits remittance reports with an accuracy percentage below 98 percent for 4 reporting periods could be subject to the disciplinary process.